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Message Text

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21
ORIGIN EB-07

INFO OCT-01 ARA-10 ISO-00 TRSE-00 COME-00 /018 R

DRAFTED BY EB/OT/GCP - MBAAS
APPROVED BY EB/OT/GCP - SAHMAD
CUSTOMS - MHATHWAY
ARA/ECP - WBURSON
---------- 025917
R 052156Z AUG 76
FM SECSTATE WASHDC
TO AMEMBASSY PORT OF SPAIN

UNCLAS STATE 194673

E.O. 11652: N/A

TAGS: ETRD

SUBJECT: GSP IMPLEMENTATION: "SUBSTANTIALLY TRANSFORMED"

REF: PORT OF SPAIN 1094

1. CUSTOMS HAS PROVIDED FOLLOWING RESPONSE TO QUESTIONS REFTEL.

2. WHEN GOLD AND COPPER ARE ALLOYED IN TRINIDAD, NEW MATERIALS ARE FORMED. THE RESULTING ALLOYS THAT ARE USED TO PRODUCE THE FINISHED METAL JEWELRY ARE SUBSTANTIALLY TRANSFORMED CONSTITUENT MATERIALS. HOWEVER, IF THE GOLD AND COPPER HAD BEEN IMPORTED TO TRINIDAD AND PROCESSED DIRECTLY INTO JEWELRY, THE GOLD AND COPPER WOULD NOT QUALIFY AS SUBSTANTIALLY TRANSFORMED CONSTITUENT MATERIALS.

3. THE RAW MATERIALS RECOVERED FROM SCRAP ARE NOT THEMSELVES WHOLLY THE GROWTH, PRODUCT, OR MANUFACTURE OF THE BENEFICIARY DEVELOPING COUNTRY.

4. APPRAISED VALUE IS THE VALUE THAT THE DUTY IS ASSESSED UPON. THERE ARE TWO VALUE LAWS, EACH WITH SEVERAL BASES
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(DEFINITIONS) OF VALUE. EACH LAW IS USED IN THE FOLLOWING

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ORDER OF PRECEDENCE:

SECTION 402, TARIFF ACT OF 1930

A. THE EXPORT VALUE OR

B. IF EXPORT VALUE CANNOT BE DETERMINED SATISFACTORILY, THEN THE UNITED STATES VALUE, OR

C. IF NEITHER OF THE FOREGOING CAN BE DETERMINED SATISFACTORILY, THE CONSTRUCTED VALUE.

THERE IS ONE ADDITIONAL BASIS OF VALUE, AMERICAN SELLING PRICE. THIS BASIS APPLIES WHEN SPECIFIED IN THE HEAD-NOTES OF THE TARIFF SCHEDULES OF THE UNITED STATES ANNOTATED. IT IS USED AS THE INITIAL BASIS IN SUCH INSTANCES AND APPLIES ONLY TO MERCHANDISE SPECIFICALLY NAMED IN THE HEADNOTES.

SECTION 402A, TARIFF ACT OF 1930

A. THE FOREIGN OR EXPORT VALUE, WHICHEVER IS THE HIGHER; OR

B. IF NEITHER CAN BE SATISFACTORILY ASCERTAINED, THEN THE UNITED STATES VALUE; OR

C. IF NONE OF THE FOREGOING CAN BE SATISFACTORILY ASCERTAINED, THEN THE COST OF PRODUCTION;

LIKEWISE, UNDER THIS LAW, THERE IS ONE ADDITIONAL BASIS, AMERICAN SELLING PRICE. IT APPLIES ONLY WHEN SPECIFIED IN THE HEADNOTES OF THE TARIFF SCHEDULES OF THE UNITED STATES ANNOTATED AND IS THE INITIAL BASIS FOR THE MERCHANDISE CONCERNED.

ALL ARTICLES LISTED IN T;D. 54521, THE FINAL LIST, ARE APPRAISED AT THE VALUE BASES SPECIFIED IN SECTION 402A. THOSE NOT LISTED ARE APPRAISED IN THE ORDER SET FORTH IN SECTION 402.
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5. DEPT FORWARDING EMBASSY PORTION OF CUSTOMS PUBLICA-TION EXPANDING ON DEFINITION OFAPPRAISED VALUE; AS WELL AS COPY OF FINAL LIST TD 54521. HABIB

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: GOLD, CUSTOMS DUTIES, POLICIES
Control Number: n/a
Copy: SINGLE
Draft Date: 05 AUG 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE194673
Document Source: CORE
Document Unique ID: 00
Drafter: MBAAS
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760303-0110
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760881/aaaacswb.tel
Line Count: 111
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EB
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: n/a
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Reference: 76 PORT OF SPAIN 1094
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Review Authority: SmithRJ
Review Comment: n/a
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Status: NATIVE
Subject: GSP IMPLEMENTATION: "SUBSTANTIALLY TRANSFORMED"
TAGS: ETRD, TD, US
To: PORT OF SPAIN
Type: TE
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